

90. A method according to claim 82, wherein the first and second read/write specifications include a wavelength selected from the range of 500 nm through 780 nm.

92. A method according to claim 82, wherein the partially reflective plane is disposed on a first side of the optical element, and wherein the optical element includes an additional partially reflective plane on a second side of the optical element.

93. A method according to claim 92, wherein the first partially reflective plane is disposed to reflect light from the first light emitting element and wherein the second partially reflective plane is disposed to reflect light from the second light emitting element.

Remarks

Claims 43-93 were pending in this application. Claims 43-45, 47-50, 52-57, 61-63, 65-68, 70-73, 75, 77-80, 82-84, 86-88, 90, and 92-93 are now pending and consolidated above. The Office Action states that claims 46-60 and 64-93 were withdrawn based on Applicants' election of claims 43-45 and 61-63. However, the Applicants did not elect claims 43-45 and 61-63, nor is there a restriction requirement pending. Rather, the Applicants elected to pursue claims directed to the embodiment illustrated in Figure 10 in response to the restriction requirement (between claims directed to Figures 7-12) set forth in the Office Action dated February 21, 2001. The Applicants made their election in the response filed May 21, 2001.

Claims 61-63 were rejected under §102(e) in view of Hayashi (U.S. Pat. No. 5,703,856), while claims 43-45 were rejected under §103(a) in view of Hayashi and Hibino (U.S. Pat. No. 5,598,394). The Applicants respectfully traverse these rejections.

In view of the amendments and comments in this communication, the Applicants respectfully submit that the pending claims are allowable.

All of the pending claims consolidated above are considered applicable to the embodiment shown in Figure 10. In particular, independent claims 43 and 61 set forth apparatus based on the embodiment shown in Figure 10, while independent claim 79 is directed to a method of use of the embodiment shown in Figure 10. The remaining dependent claims recite species that include all the limitations of their respective independent claims. The Applicants therefore respectfully submit that claims 43-45, 47-50, 52-57, 61-63, 65-68, 70-73, 75, 77-80, 82-84, 86-88, 90, and 92-93 are properly under consideration in accordance with MPEP §809.02(a) and 37 CFR 1.141(a).

The embodiment claimed in independent claim 43 recites a composite optical device that includes a first light emitting element having a first read/write specification, a second light emitting element having a second read/write specification different than the first read/write specification, and a photodetector element. In addition, the claimed optical device includes an optical element including a partially reflective plane disposed to reflect light from at least one of the first and second light emitting elements, and a base body supporting the light emitting elements, the photodetector element, and the optical element, with the optical element covering the photodetector element. Similarly, independent claim 61 recites an optical memory system that includes a first light emitting element having a first read/write specification, a second light emitting element having a second read/write specification different than the first read/write specification, and a driver circuit for the first and second light emitting elements. The optical memory system includes a selector coupled to the first and second light emitting elements and the driver circuit for switching between the first and second light emitting elements, and

an optical element including a partially reflective plane disposed to reflect light from at least one of the first and second light emitting elements toward an optical recording medium, the optical element supported by a base and covering a photodetector. The independent method claim 79 recites a method for transferring data to or from an optical recording media. The method includes selecting between a first light emitting element having a first read/write specification and a second light emitting element having a second read/write specification, thereby establishing a selected light emitting element, driving the selected light emitting element so that it emits light toward an optical element supported by a base body and covering a photodetector, reflecting light from a partially reflective plane of the optical element toward an optical recording medium, and reading data returned from the optical recording medium through the optical element using the photodetector. (See Figure 10, Specification, pages 11-12).

Note that as claimed, the optical element (element 2 in Figure 10) covers the photodetectors (elements PD1 and PD2 in Figure 10). Turning to the substantive rejections, claims 61-63 were rejected under §102(e) in view of Hayashi, while claims 43-45 were rejected under §103(a) in view of Hayashi and Hibino.

Hayashi is directed to an optical head and optical recording apparatus. In particular, Figure 15 in Hayashi shows the arrangement of the optical components, while the remaining optical system figures (e.g., Figures 8a, 8b, 11a, and 11b) show schematic diagrams of components included in several optical systems discussed in the specification. Note that with regard to Figure 15, that the laser diode 1b is adjacent to the mirror 82, and that the photodetectors 13b are disposed laterally away from the mirror 82 (Col. 21, lines 22-45). Thus, the Applicants respectfully submit that Hayashi

does not teach or suggest that, as claimed, an optical element supported by a base covers the photodetectors.

Hibino is directed to an optical pickup. In Hibino, however, a beam splitter 23 and microlens array 24 are separated from the photodiode detectors 22a, 22b, and 22c. (Figure 2, column 4, lines 45-56, see also Figures 1a and 1b). In other words, Hibino does not teach or suggest that the optical element cover the photoreceptors. Rather Hibino advocates the opposite.

As a result, even a combination of Hibino and Hayashi, even assuming a that such a combination is proper, would not yield the claimed invention. For the forgoing reasons, it is respectfully submitted that the pending claims are in condition for allowance, and the Applicant therefore requests withdrawal of the pending rejections. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,


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APPENDIX A
VERSION WITH MARKINGS TO SHOW CHANGES MADE IN CLAIMS

Claims 46, 51, 58, 59, 60, 64, 69, 74, 76, 81, 85, 89, and 91 have been cancelled.

Claims 43, 61, and 79 have been amended as shown below:

43. (Amended) A composite optical device comprising:

- a first light emitting element having a first read/write specification;
- a second light emitting element having a second read/write specification different than the first read/write specification;
- a photodetector element;
- an optical element including a partially reflective plane disposed to reflect light from at least one of the first and second light emitting elements; and
- a base body supporting the light emitting elements, the photodetector element, and the [transparent] optical element, with the optical element covering the photodetector element.

61. An optical memory system comprising

- a first light emitting element having a first read/write specification;
- a second light emitting element having a second read/write specification different than the first read/write specification;
- a driver circuit for the first and second light emitting elements;
- a selector coupled to the first and second light emitting elements and the driver circuit for switching between the first and second light emitting elements; and

an optical element including a partially reflective plane disposed to reflect light from at least one of the first and second light emitting elements toward an optical recording medium, the optical element supported by a base and covering a photodetector.

79. A method for transferring data to or from optical recording media of different formats, the method comprising:

selecting between a first light emitting element having a first read/write specification and a second light emitting element having a second read/write specification, thereby establishing a selected light emitting element;

driving the selected light emitting element so that it emits light toward an optical element supported by a base body and covering a photodetector;

reflecting light from a partially reflective plane of the optical element toward an optical recording medium; and

reading data returned from the optical recording medium through the optical element using [a] the photodetector.

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